

ELECTRONICALLY FILED
JUNE 20, 2006

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*Counsel for the Official Committee of Equity Security
Holders of USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
Debtor)

In re:) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)

In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

Affects)

☐ All Debtors) Date: June 5, 2006
☐ USA Commercial Mortgage Co.) Time: 9:30 a.m.
☐ USA Securities, LLC) Place: Courtroom #1
☐ USA Capital Realty Advisors, LLC)
☐ USA Capital Diversified Trust Deed)
☒ USA First Trust Deed Fund, LLC)

**NOTICE OF ENTRY OF ORDER APPROVING
SHEA & CARLYON, LTD. EMPLOYMENT APPLICATION**

PLEASE TAKE NOTICE that an Order Authorizing Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Employ Shea & Carlyon, Ltd., as its Special Nevada Counsel Effective May 10, 2006 was entered on June 20, 2006, a true and correct copy of which is attached hereto.

~~SHEA & CARLYON, LTD.~~

SHLOMO S. SHERMAN, ESQ.
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233 S. Fourth Street, Second Floor
Las Vegas, NV 89101



Entered on Docket
June 20, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

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*Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
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USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)
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In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

ORDER APPROVING SHEA & CARLYON EMPLOYMENT APPLICATION

1 Affects)

2 ☐ All Debtors)

3 ☐ USA Commercial Mortgage Co.) Date: June 5, 2006

4 ☐ USA Securities, LLC) Time: 9:30 a.m.

5 ☐ USA Capital Realty Advisors, LLC) Place: Courtroom #2

6 ☐ USA Capital Diversified Trust Deed)

7 ☒ USA First Trust Deed Fund, LLC)

8 **ORDER AUTHORIZING OFFICIAL COMMITTEE OF EQUITY SECURITY**
 9 **HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC TO EMPLOY**
 10 **SHEA & CARLYON, LTD. AS ITS SPECIAL NEVADA COUNSEL EFFECTIVE**
 11 **MAY 10, 2006**

12 **(AFFECTS CASE NO. 06-10728 - USA CAPITAL FIRST TRUST DEED FUND, LLC)**

13 This matter having come on for hearing on the Application (the "Application") for
 14 Order Appointed Shea & Carlyon, Ltd. as Special (Nevada) Counsel for the Official
 15 Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "First
 16 Trust Deed Committee"); Candace C. Carlyon, Esq. of the law firm of Shea & Carlyon, Ltd.
 17 appearing on behalf of the First Trust Deed Committee; and other appearances being noted on
 18 the record; and the Court having considered the Application and the Amendment thereto; the
 19 Declaration and the Statement of Disinterestedness of James Patrick Shea, Esq. in support
 20 thereof; the various oppositions and replies thereto; the pleadings, papers and records on file
 21 in this matter; and all objections having been withdrawn; and good cause appearing:

22 IT IS HEREBY ORDERED that the Application is granted and the First Trust Deed
 23 Committee is authorized to employ the law firm of Shea & Carlyon, Ltd. as its special Nevada
 24 counsel herein on the terms set forth in the Application, the Amendment thereto, and the
 25 Declaration thereon, effective as of May 10, 2006.
 26

1 SUBMITTED BY:

2 SHEA & CARLYON, LTD.

3 

4 JAMES PATRICK SHEA, ESQ.
5 CANDACE C. CARLYON, ESQ.
6 SHLOMO S. SHERMAN, ESQ.
7 233 South Fourth Street, 2nd Floor
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9 *Special Nevada Counsel for the Official
10 Committee of Equity Security Holders of
11 USA Capital First Trust Deed Fund, LLC*

12 APPROVED/DISAPPROVED BY:

13 STUTMAN, TREISTER & GLATT, P.C.

14 

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20 *Counsel for the Official Committee of
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22 USA Capital First Trust Deed Fund, LLC*

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*Counsel for Official Committee of Holders of
Executory Contract Rights of
USA Commercial Mortgage Company*

APPROVED/DISAPPROVED BY:

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*[Proposed] Counsel for Official Committee of Equity
Security Holders of
USA Capital Diversified Trust Deed Fund, LLC*

06/09/2006 18:00 FAX

004/005

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 8 *Committee of Equity Security Holders of*
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17 *Counsel for the Official Committee of*
 18 *Equity Security Holders of*
 19 *USA Capital First Trust Deed Fund, LLC*

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8 *Special Nevada Counsel for the Official*
9 *Committee of Equity Security Holders of*
USA Capital First Trust Deed Fund, LLC

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18 *Counsel for the Official Committee of*
Equity Security Holders of
19 *USA Capital First Trust Deed Fund, LLC*

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[Proposed] Counsel for Official Committee of Equity
Security Holders of
USA Capital Diversified Trust Deed Fund, LLC

1 APPROVED/DISAPPROVED BY:

2 LEWIS AND ROCA, LLP

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6 3993 Howard Hughes Parkway, 6th Floor
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7 *[Proposed] Counsel for Official Committee of*
8 *Unsecured Creditors of USA Commercial*
9 *Mortgage Company*

10 APPROVED/DISAPPROVED BY:

11 OFFICE OF THE U.S. TRUSTEE

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13 AUGUST B. LANDIS
14 Office of the United States Trustee
15 300 Las Vegas Boulevard, Suite 4300
16 Las Vegas, NV 89101

17 Assistant United States Trustee
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APPROVED/DISAPPROVED BY:

SCHWARTZER & MCPHERSON LAW FIRM

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JEANETTE E. MCPHERSON, ESQ.
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Counsel for the Debtors

Jun-13- 2006 4:39PM SCHWARTZER & MCPHERSON

No. 2891 P. 2/2

1 APPROVED/DISAPPROVED BY:

2 LEWIS AND ROCA, LLP

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4 ROB CHARLES, ESQ.

5 SUSAN M. FREEMAN, ESQ.

6 3993 Howard Hughes Parkway, 6th Floor
Las Vegas, Nevada 891097 *[Proposed] Counsel for Official Committee of*
8 *Unsecured Creditors of USA Commercial*
9 *Mortgage Company*

10 APPROVED/DISAPPROVED BY:

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13 AUGUST B. LANDIS

14 Office of the United States Trustee

15 300 Las Vegas Boulevard, Suite 4300

16 Las Vegas, NV 89101

17 Assistant United States Trustee

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APPROVED/DISAPPROVED BY:

SCHWARTZER & MCPHERSON LAW FIRM

LENARD SCHWARTZER, ESQ.

JEANETTE E. MCPHERSON, ESQ.

2850 South Jones Boulevard, Suite 1,
Las Vegas, NV 89146*Counsel for the Debtors*

Order Authorizing Official Committee of Equity Security Holders of USA Capital First Trust Deed Funds, LLC
to Employ Shea & Carlyon, Ltd. as its Special Nevada Counsel Effective May 10, 2006 (Affects Case No. 06-
10728 - USA Capital First Trust Deed Fund, LLC)

1 APPROVED/DISAPPROVED BY:

2 JFWIS AND ROCA, LLP

3


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5 SUSAN M. FREEMAN, ESQ.
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Las Vegas, Nevada 89169

7 [Proposed] Counsel for Official Committee of
8 Unsecured Creditors of USA Commercial
Mortgage Company

9

10 APPROVED/DISAPPROVED BY:

11 OFFICE OF THE U.S. TRUSTEE

12 

13 AUGUST E. LANDIS /
14 Office of the United States Trustee
300 Las Vegas Boulevard, Suite 4300
15 Las Vegas, NV 89101

16 Assistant United States Trustee

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APPROVED/DISAPPROVED BY:

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LENARD SCHWARTZER, ESQ.
JEANETTE E. MCPHERSON, ESQ.
2850 South Jones Boulevard, Suite 1,
Las Vegas, NV 89146

Counsel for the Debtors

RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

- ☐ approved the form of this order;
- ☐ waived the right to review this order; and/or
- ☐ failed to file and serve papers in accordance with LR 9021(c).

- ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:

Rob Charles, Esq.
LEWIS AND ROCA, LLP
3993 Howard Hughes Parkway, 6th Floor
Las Vegas, Nevada 89109

- ☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 16th day of June, 2006.

SHEA & CARLYON, LTD.



JAMES PATRICK SHEA, ESQ.
CANDACE C. CARLYON, ESQ.
SHLOMO S. SHERMAN
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